

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72322 of 2023

Arising Out of PS. Case No.-71 Year-2022 Thana- BEGUSARAI RAIL P.S. District-
Begusarai

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Navin Kumar @ Navin Paswan Son Of Nand Kishore Paswan Resident Of
Village - Paharchak, P.S. - Muffasil Begusarai, District - Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 304/34, 379/34,
356/34, 411/34 of the Indian Penal Code.

As per allegation in the FIR, while the informant
along with his family members were traveling by Train,
in the way, one unknown thief snatched the bag of his
sister-in-law, namely, Kanta Jain. The bag contained
gold chain, three mobile phone. She started making



noise and ran behind the thief to catch him. In this process, she fell down from the train and sustained injuries to which she died.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner is not named in the F.I.R. and his name sprang up in this case on the basis of confessional statement of co-accused Manikant Pawan. Moreover, he is languishing in judicial custody since 06.11.2023.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that on the basis of CCTV footage two persons identified as one of them is petitioner and other is co-accused Manikant Paswan. Several witnesses have supported the prosecution version of the case. Vide para 36 and 38 of the case diary, in the seizure list of seized mobile phones from this petitioner whose IMEI No. was same as mobile phone stolen from the deceased. Postmortem report of the deceased shows that cause of



death is due to hemorrhagic shock as a result of injuries caused by heavy, hard and blunt object compatible with rail traffic accident, which corroborates with the prosecution version of the case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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